GOVERNMENT OF INDIA
ROAD TRANSPORT AND HIGHWAYS
LOK SABHA

UNSTARRED QUESTION NO:4690
ANSWERED ON:30.03.2017
Sentencing Policy for Cases of Road Accident
Vichare Shri Rajan Baburao

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

(a) whether the Government's attention has been drawn to the observations made by the Supreme Court in a road accident case emphasising the need to scrutinize, relook and revisit the sentencing policy in Section 304-A I.P.C., if so, the details thereof and the response of the Government thereto;

(b) whether the Government is positively considering to implement the observations/suggestions made by the Supreme Court in the recent judgments relating to rash and negligent driving, if so, the details thereof;

(c) whether there is any proposal to suspend the licences of the accused involved in road accident cases till the case is pending; and

(d) if so, the details thereof and the action taken thereon?

Answer

THE MINISTER OF STATE IN THE
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
(SHRI PON. RADHAKRISHNAN)

(a) & (b) Rash driving is a punishable offence under the provision of Section 184 of Central Motor Vehicle Act, 1988. Based on the recommendations of Law Commission of India in its 234th Report titled "Legal Reforms to Combat Road Accidents" Ministry of Home Affairs has proposed to insert a new section 304AA (causing death or injury by rash and negligent driving) in the Indian Penal Code and circulated among various stakeholders seeking their comments.

(c) & (d) Ministry of Road Transport & Highways has introduced Motor Vehicle Amendment Bill, 2016 in the Lok Sabha in August 2016. The bill inter alia includes the provision of enhancement of various types of penalties for traffic offences including revocation of driving license. The Bill was referred to the Department Related Parliamentary Standing Committee on Transport, Tourism and Culture for examination and report. The Committee has presented its report to the Rajya Sabha on 8th February, 2017.

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